



P.O. Box 81906  
Lincoln, NE 68501

April 25, 2014

City of Lincoln, Nebraska  
Department of Public Works  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: Proposed Sidewalk Use

To Whom It May Concern:

On behalf of B&J Partnership, Ltd., I am writing to request use of a portion of the sidewalk area along P Street between 7<sup>th</sup> and 8<sup>th</sup> Streets in front of the McKinney's Irish Pub. McKinney's plans to apply for a sidewalk café permit in the same area for outdoor seating.

Enclosed are the plans for the affected area. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken Fougerson', with a long horizontal line extending to the right.

Ken Fougerson  
Operations Manager

Enclosures

# Street Use Permit Application

Permit # \_\_\_\_\_

BUILDING & SAFETY DEPARTMENT - CITY OF LINCOLN  
Building Services Division  
555 S. 10th Street, Suite 203, Lincoln, NE 68508-3995  
402-441-7882 • FAX 402-441-8214

Street Use Address <u>151 N. 8<sup>th</sup></u>		Lot Block Addition <u>1-3 45 Original</u>	
Nature of Use <u>Sidewalk Cafe</u>			
Applicant Name (Contractor) <u>B&amp;J Partnership, Ltd. dba Speedway Properties</u>		Email Address <u>kgfougeron@speedwayproperties.com</u>	
Applicant Address <u>340 Victory Lane Lincoln, NE 68528</u>		Mobile/Cell Phone # <u>402-326-0577</u>	Phone # <u>402 323-3120</u>

**Sidewalk Space:**

Number of Days \_\_\_\_\_ \* From: \_\_\_\_\_ To: \_\_\_\_\_

6 Ft. X 24 Ft. = 144 Sq. Ft. = \$ \_\_\_\_\_  
\_\_\_\_\_ Ft. X \_\_\_\_\_ Ft. = \_\_\_\_\_ Sq. Ft. = \$ \_\_\_\_\_

**Street Use:**

Number of Days \_\_\_\_\_ \* From: \_\_\_\_\_ To: \_\_\_\_\_

\_\_\_\_\_ Ft. X \_\_\_\_\_ Ft. = \_\_\_\_\_ Sq. Ft. = \$ \_\_\_\_\_  
\_\_\_\_\_ Ft. X \_\_\_\_\_ Ft. = \_\_\_\_\_ Sq. Ft. = \$ \_\_\_\_\_

**Alley Use:**

Number of Days \_\_\_\_\_ \* From: \_\_\_\_\_ To: \_\_\_\_\_

\_\_\_\_\_ Ft. X \_\_\_\_\_ Ft. = \_\_\_\_\_ Sq. Ft. = \$ \_\_\_\_\_  
\_\_\_\_\_ Ft. X \_\_\_\_\_ Ft. = \_\_\_\_\_ Sq. Ft. = \$ \_\_\_\_\_

**Non-Metered Parking:**

Number of Days \_\_\_\_\_ \* From: \_\_\_\_\_ To: \_\_\_\_\_

\_\_\_\_\_ Ft. X \_\_\_\_\_ Ft. = \_\_\_\_\_ Sq. Ft. = \$ \_\_\_\_\_  
\_\_\_\_\_ Ft. X \_\_\_\_\_ Ft. = \_\_\_\_\_ Sq. Ft. = \$ \_\_\_\_\_

**Meter Head Removal:**

Number \_\_\_\_\_ X \$50 = \$ \_\_\_\_\_

\* Includes Weekends &amp; Holidays

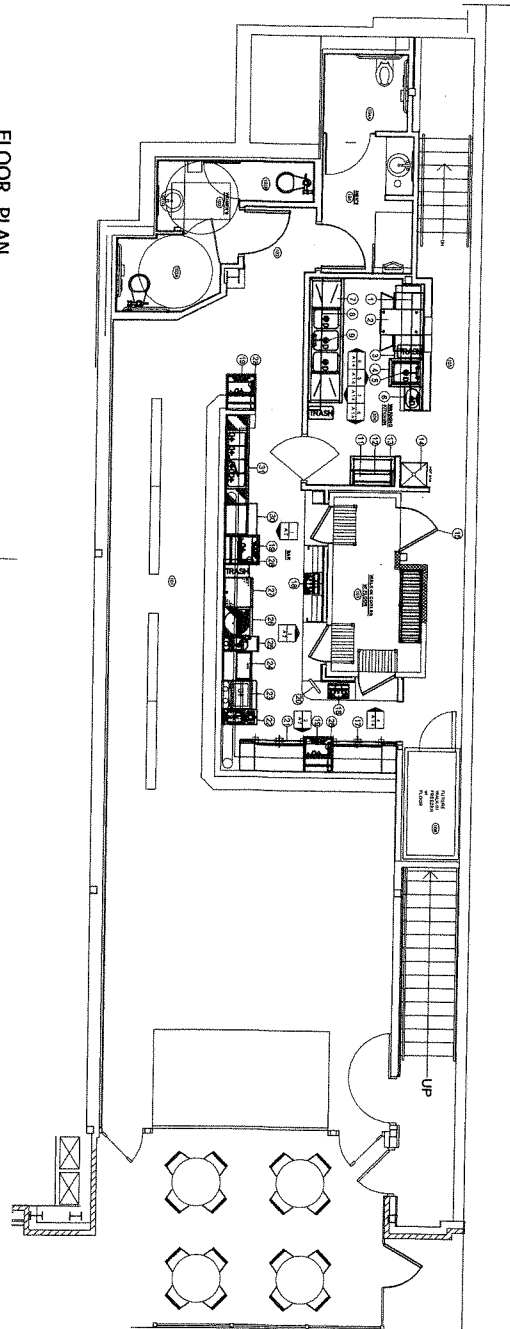
☐ BOND☐ INSURANCE

TOTAL FEE \$ \_\_\_\_\_

The permittee hereby agrees to comply with the requirements of the Lincoln Municipal Code Chapter 14.29 and all special requirements as outlined in the Street Use Application and hereby agrees and authorizes the City of Lincoln to use said money to save and keep the City of Lincoln free and harmless from any and all loss or damages or claims for damages arising from or out of use of the public space requested and for the full and complete protection of the City of Lincoln against any and all litigation growing out of such permit or anything done under such permit.

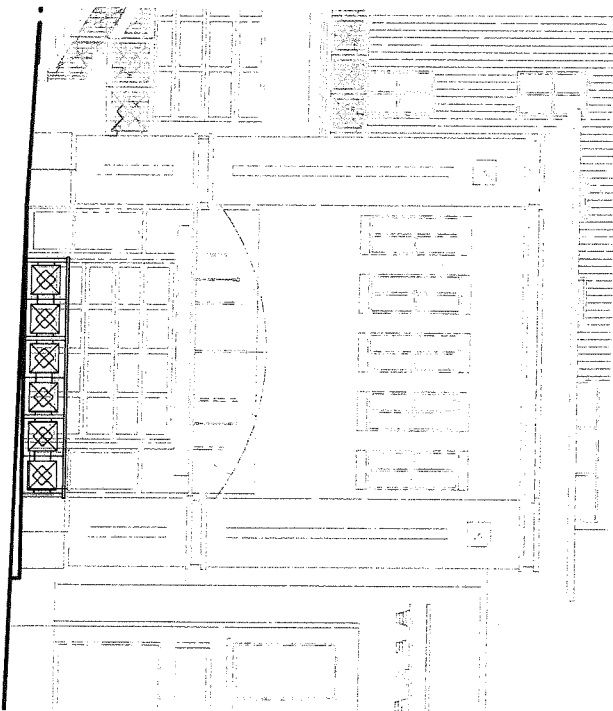
Print Name Ken FougeronApplicant Signature [Signature] Date 4-25-14

Approved by: \_\_\_\_\_ Date \_\_\_\_\_



FLOOR PLAN

Scale: 1/8" = 1'-0"



NORTH ELEVATION

Scale: 1/8" = 1'-0"

A1

DATE

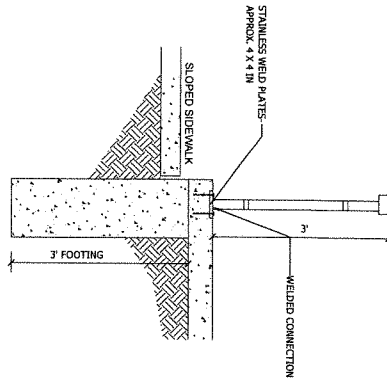
04.23.14

REV

RV-DT

REVISION  
Description  
RVSN-DSCR.

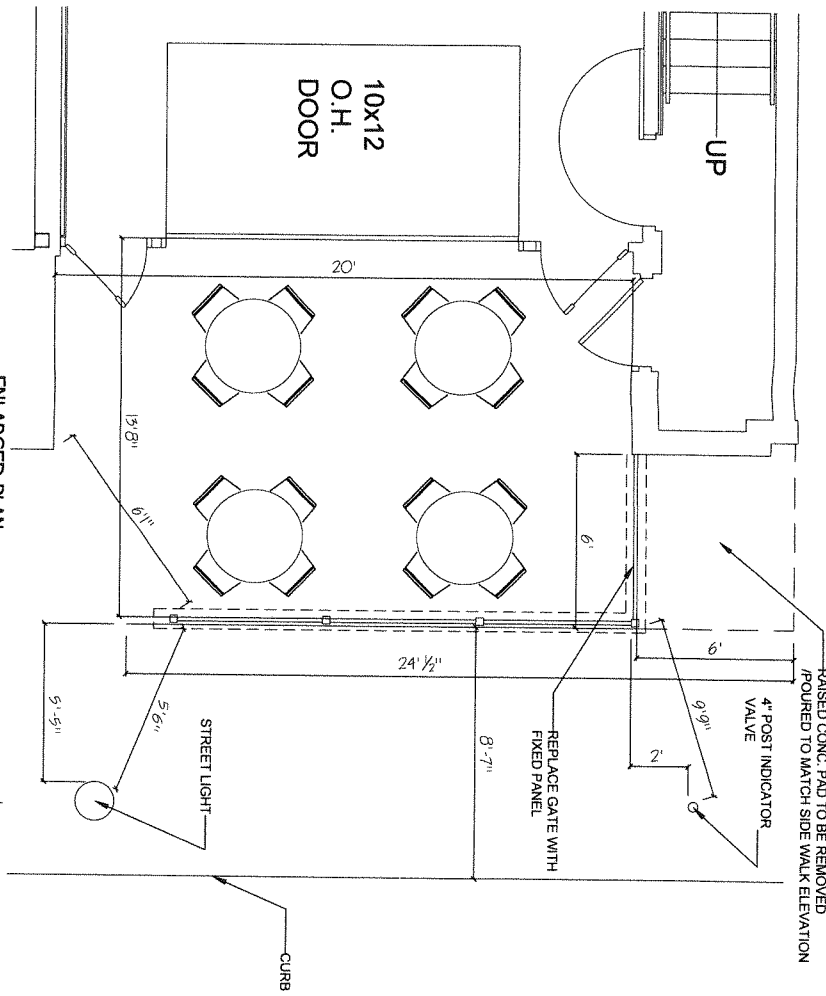
McKinney's Pub



GUARDRAIL DETAIL

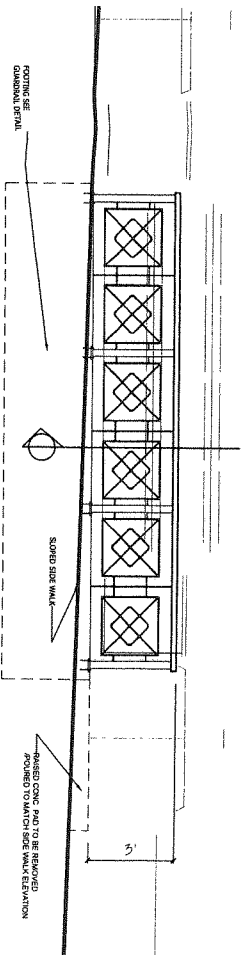
Scale: 1/2" = 1'-0"

NOTE: TABLES ARE NOT FIXED AND CAN BE ARRANGED FOR ADA ACCESS AS REQUIRED.



ENLARGED PLAN

Scale: 1/4" = 1'-0"



ENLARGED ELEVATION

Scale: 1/4" = 1'-0"

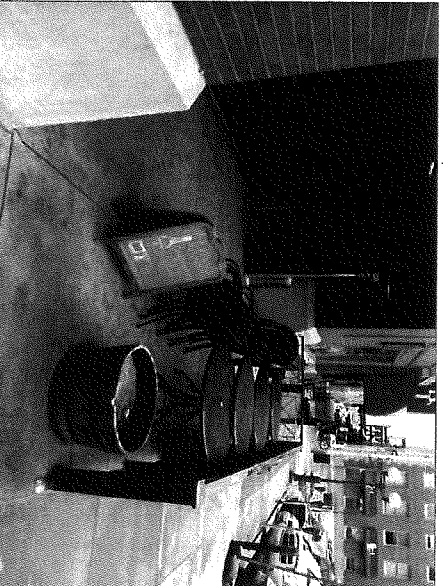
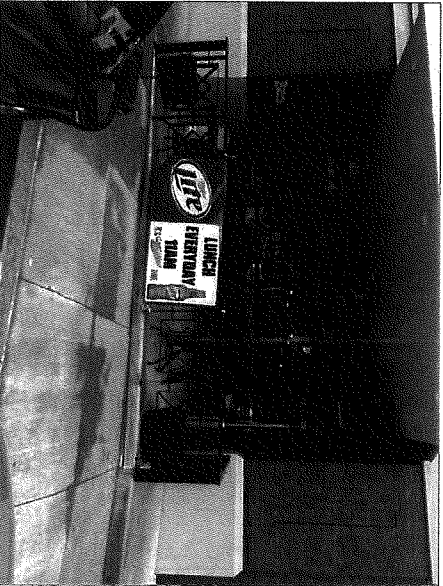


Office

100%



24



M

RV-DT

**1**

12:00 P.M.

**SP**

# BOND OF OCCUPIER OF PUBLIC SPACE

Bond No. 124666

KNOW ALL MEN BY THESE PRESENTS, that we, B & J PARTNERSHIP, LTD  
of LINCOLN, NEBRASKA  
as Principal, and UNIVERSAL SURETY COMPANY a  
corporation duly licensed to do business in the State of Nebraska, as Surety, are held and firmly bound unto the CITY  
OF LINCOLN, NEBRASKA, in the penal sum. of FIVE-THOUSAND AND NO/100-----  
Dollars (\$5,000.00-----),  
lawful money of the United States, for which payment well and truly to be made we bind ourselves and our heirs,  
executors, administrators, legal representatives, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such that, whereas, the Principal has made application to the  
City of Lincoln for permission to occupy space underneath, upon, or above public property at or adjacent to the  
following described location in the City of Lincoln, Lancaster County, Nebraska, to wit: USE OF PUBLIC RIGHT  
OF WAY PERMIT FOR OUTDOOR CAFE AT 151 N 8TH STREET, LINCOLN, NEBRASKA.

NOW, THEREFORE, if the Principal and his heirs, successors, or assigns shall faithfully perform and in all  
things strictly comply with all conditions which now are or which may hereafter be required by Section 14.54.040 of  
the Lincoln Municipal Code to be contained in the surety bond specified by said section, which conditions are hereby  
incorporated by reference and made to apply to the above described occupation of space, then this obligation shall be  
void, otherwise to remain in full force and effect until terminated as hereinafter provided.

THIS BOND MAY BE TERMINATED at any time by the Surety upon sending notice in writing, by certified  
mail, to the City Clerk of said City and to the Principal, addressed to them at City of Lincoln, County-City Building,  
555 South 10th Street, Lincoln, Nebraska 68508, and at the expiration of thirty (30) days from the receipt of said  
notice, this bond shall ipso facto terminate and the Surety shall thereupon be released from any liability for any acts or  
omissions of the Principal subsequent to said date.

DATED this 9TH day of MAY 20 14

B & J Partnership, Ltd  
SPEEDWAY PROPERTIES, LLC

Principal

By: [Signature] General Partner  
(Show Legal Capacity)

UNIVERSAL SURETY COMPANY

Surety

BY: [Signature]  
S. EDWARD COPPLE, Attorney-in-Fact

Approved as to Form:

\_\_\_\_\_  
City Attorney

(Accompany this bond with Attorney-in-Fact's authority from Surety, certified to include the date of the bond.)

# UNIVERSAL SURETY COMPANY

Lincoln, Nebraska

## POWER OF ATTORNEY

### KNOW ALL MEN BY THESE PRESENTS:

That the **UNIVERSAL SURETY COMPANY**, a corporation of the State of Nebraska having its principal office in the City of Lincoln, Nebraska, pursuant to the following Bylaw, which was adopted by the Board of Directors of the said Company on July 23, 1981, to wit:

"Article V-Section 6. **RESIDENT OFFICERS AND ATTORNEYS-IN-FACT.** The President or any Vice President, acting with any Secretary or Assistant Secretary, shall have the authority to appoint Resident Vice Presidents and Attorneys-In-Fact, with the power and authority to sign, execute, acknowledge and deliver on its behalf, as Surety: Any and all undertakings of suretyship and to affix thereto the corporate seal of the corporation. The President or any Vice President, acting with any Secretary or Assistant Secretary, shall also have the authority to remove and revoke the authority of any such appointee at any time."

does hereby make, constitute and appoint

**D. A. Johansen or S. Edward Copple or Karen Kyncl, Lincoln, Nebraska**

its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver for and on its behalf, as Surety:

Any and all undertakings of suretyship

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its offices in Lincoln, Nebraska, in their own persons.

The following Resolution was adopted at the Regular Meeting of the Board of Directors of the **UNIVERSAL SURETY COMPANY**, held on July 23, 1981:

"RESOLVED, That the signatures of officers of the Company and the seal of the Company may be affixed by facsimile to any Power of Attorney executed in accordance with Article V-Section 6 of the Company Bylaws: and that any such Power of Attorney bearing such facsimile signatures, including the facsimile signature of a certifying Assistant Secretary and facsimile seal shall be valid and binding upon the Company with respect to any bond, undertaking or contract of suretyship to which it is attached."

All authority hereby conferred shall remain in full force and effect until terminated by the Company.

IN WITNESS WHEREOF, **UNIVERSAL SURETY COMPANY** has caused these presents to be signed by its President and its corporate seal to be hereunto affixed this 15th day of April, 2014.



Secretary/Treasurer

State of Nebraska

County of Lancaster

ss.

By

**UNIVERSAL SURETY COMPANY**



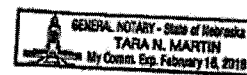
President



On this 15th day of April, 2014, before me personally came Curtis L. Hartter, to me known, who being by me duly sworn, did depose and say that (s)he resides in the County of Lancaster, State of Nebraska; that (s)he is the President of the **UNIVERSAL SURETY COMPANY**, the corporation described in and which executed the above instrument; that (s)he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; that (s)he signed (his) (her) name by like order; and that Bylaw, Article V-Section 6, adopted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.



Notary Public



My Commission Expires February 16, 2018.

I, Cheryl A. Brown, Assistant Secretary of **UNIVERSAL SURETY COMPANY**, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said **UNIVERSAL SURETY COMPANY**, which is still in full force and effect.

Signed and sealed at the City of Lincoln, Nebraska this 9th day of MAY, 2014.



Assistant Secretary





# CERTIFICATE OF LIABILITY INSURANCE

OP ID: SH

DATE (MM/DD/YYYY)

05/09/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Coppie Insurance Agency, Inc. P.O. Box 83405 Lincoln, NE 68501- D. Arnie Johansen, CPCU, ARM		<b>CONTACT NAME:</b> Sheryl Homer <b>PHONE (A/C, No. Ext):</b> 402-475-3213 <b>FAX (A/C, No):</b> 402-475-6842 <b>E-MAIL ADDRESS:</b> sheryl@coppieinsurance.com <b>PRODUCER CUSTOMER ID #:</b> BJPAP-1	
<b>INSURED</b> B & J Partnership, Ltd. P. O. Box 81906 Lincoln, NE 68501		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> The Cincinnati Insurance Co. <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	
		<b>NAIC #</b> 10677	

**COVERAGES****CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC	X	EPP0171846	01/01/2014	01/01/2015	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ Excluded PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000		
A	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS		EPP0171846	01/01/2014	01/01/2015	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (PER ACCIDENT) \$ \$ \$		
A	<b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DEDUCTIBLE RETENTION \$	X	EPP0171846	01/01/2014	01/01/2015	EACH OCCURRENCE \$ 9,000,000 AGGREGATE \$ 9,000,000 \$ \$		
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A				WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$		

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
Use of Public Right-Of-Way Permits for Outdoor Cafe located at 151 N 8th Street, Lincoln, Nebraska. The City of Lincoln is named as an additional insured.

**CERTIFICATE HOLDER****CANCELLATION**

CITY--1

City of Lincoln  
City Clerk's Office  
Attn: Teresa J. Meier  
555 South 10 Street  
Lincoln, NE 68508

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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